

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ELI LILLY AND COMPANY et al.,

Plaintiff,

v.

TEVA PHARMACEUTICALS USA
INC., et al.,

Defendants.

No. 2:17-cv-00267-JLR

**STIPULATED MOTION AND
[PROPOSED] ORDER TO EXTEND
THE DEADLINE TO TAKE THE
DEPOSITION OF DR. JOHN
WHITAKER**

NOTE ON MOTION CALENDAR:
March 30, 2017

JLR

STIPULATED MOTION

All Parties to this action—Plaintiffs Eli Lilly and Company and ICOS Corporation (collectively, “Plaintiffs”), Defendants Teva Pharmaceuticals USA Inc. and Watson Laboratories, Inc. (collectively, “Defendants”), and Dr. John Steven Whitaker (“Dr. Whitaker”)—seek leave to extend the deadline to take the deposition of Dr. Whitaker ordered by this Court on March 16, 2017.

On March 16, 2017, the Court issued an Order on Motion to Transfer or to Quash or Modify and for Protective Order. (D.I. 7.). Regarding the deposition of Dr. John Whitaker, the Court stated that the “date upon which the parties agree to conduct the deposition must

STIPULATED MOTION AND [PROPOSED] ORDER
TO EXTEND THE DEADLINE TO TAKE THE
DEPOSITION OF DR. JOHN WHITAKER
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1 be no later than thirty (30) days after the entry of this order," i.e., April 15, 2017. (D.I. 7 at
2 10.) Due to Dr. Whitaker's prior commitments and the many depositions of other witnesses
3 already scheduled by the Plaintiffs and Defendants in the Underlying Litigation, Plaintiffs,
4 Defendants, and Dr. Whitaker were unable to find a convenient date for Dr. Whitaker's
5 deposition by April 15, 2017. However, the Parties have identified April 18, 2017 as a
6 mutually convenient date for Dr. Whitaker's deposition. Because April, 18, 2017, is only
7 three days after the deadline set by this Court, the Parties believe there is good cause shown
8 to extend the deadline to take Dr. Whitaker's deposition.
9

10 The Parties therefore respectfully request that the Court allow for Dr. Whitaker's
11 deposition to take place on April 18, 2017.

12 Dated: March 30, 2017.

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1 Dated: March 30, 2017.

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11 Dated: March 30, 2017.

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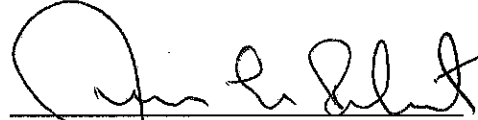
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19 *Attorneys for Third-Party Subpoena*
20 *Recipient Dr. John Steven Whitaker*

~~PROPOSED~~ ORDER

IT IS SO ORDERED.

Dated: March 30, 2017



The Honorable James L. Robart
United States District Judge

Presented by:

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CERTIFICATE OF SERVICE

I hereby certify that on March 30, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all registered users.

DATED: March 30, 2017 at Seattle, Washington.

/s/ Sue Stephens
Sue Stephens, Legal Assistant

STIPULATED MOTION AND [PROPOSED] ORDER
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